



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA, SOUTH CAROLINA

May 18, 2007

**VIA ELECTRONIC FILING &
HAND DELIVERED ORIGINAL**

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Synergy Business Park, Saluda Building
101 Executive Center Drive
Columbia, SC 29210

Frank R. Ellerbe, III
1901 MAIN STREET, SUITE 1200
POST OFFICE BOX 944
COLUMBIA, SOUTH CAROLINA 29202

PH
(803) 779-8900 | (803) 227-1112 *direct*
FAX
(803) 252-0724 | (803) 744-1556 *direct*

fellerbe@robinsonlaw.com

**Re: Application of Ashley Oaks Water System, Incorporated
Docket No. 2007-41-W
Our File No. 30354-0001**

Dear Mr. Terreni:

Enclosed for filing please find the Petition to Intervene Out of Time on behalf of Ashley Oaks Phase I Homeowners Association. Please date-stamp the extra copies of the Petition as proof of filing and return them with our courier.

If you have any questions, please have someone on your staff contact me.

Yours truly,

ROBINSON, MCFADDEN & MOORE, P.C.

Frank R. Ellerbe, III

FRE/tch

Enclosures

cc w/enc: Charles H. Cook, Esquire
Wendy B. Cartledge, Esquire
H. Clayton Walker, Jr., Esquire

THIS DOCUMENT IS AN EXACT DUPLCIATE, WITH THE EXCEPTION OF THE
FORM OF THE SIGNATURE, OF THE E-FILED COPY SUBMITTED TO THE
COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2007-41-W

In Re:

Application of Ashley Oaks Water
System, Incorporated for Approval of
a Transfer of Its Water System to the
City of Columbia

**PETITION TO INTERVENE
OUT OF TIME ON BEHALF OF
ASHLEY OAKS PHASE I
HOMEOWNERS ASSOCIATION**

The Ashley Oaks Phase I Homeowners Association ("Ashley Oaks HOA") hereby petitions the Public Service Commission of South Carolina ("Commission") pursuant to 26 S.C. Regs. 103-836 and other applicable rules and regulations for permission to intervene out of time in the above captioned proceeding. In support of this petition, Ashley Oaks HOA would show the following:

1. Ashley Oaks HOA is an association of residents of the development served by the Ashley Oaks Water System.
2. Ashley Oaks HOA's authorized representatives in this proceeding are as follows:

Ashley Oaks HOA OFFICIAL

Mr. Joe Sahli
108 Maple Ridge Road
Blythewood, SC 29016

And

***THIS DOCUMENT IS AN EXACT DUPLICATE, WITH
THE EXCEPTION OF THE FORM OF THE SIGNATURE,
OF THE E-FILED COPY SUBMITTED TO THE COMMISSION
IN ACCORDANCE WITH ITS ELECTRONIC FILING REQUIREMENTS***

LEGAL REPRESENTATIVES

Frank R. Ellerbe, III, Esquire
Robinson, McFadden & Moore, P.C.
1901 Main Street, Suite 1500
Post Office Box 944
Columbia, South Carolina 29202
Telephone: 803-779-8900
fellerbe@robinsonlaw.com

3. Ashley Oaks Water System Company ("AOW") has submitted a request to the Commission seeking approval of a transfer of its water system to the City of Columbia.

4. Ashley Oaks Phase I HOA has an interest in the above-caption proceeding inasmuch as its members are customers served by the system. Ashley Oaks Phase I HOA's position in this matter is that the transfer of the system should be approved as soon as possible.

Ashley Oaks HOA requests permission to intervene out of time in the above-captioned proceeding as a formal party of record. Ashley Oaks HOA has consulted with counsel for the parties of record concerning its intervention and it has been informed that no parties have an objection to that intervention. Ashley Oaks HOA estimates that it will take thirty to forty-five minutes for its presentation.

5. Ashley Oaks HOA's intervention will aid the Commission by assisting in the development of a full and fair record to address the issues raised in this proceeding. Ashley Oaks HOA's position in this docket is that the transfer of the system to the City of Columbia should be approved as soon as possible.

6. Ashley Oaks HOA is informed and believes that granting its request to be made a party of record in the above-captioned proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public

participation in the issues before it, and should be allowed so that a full and complete record addressing the views and concerns of Ashley Oaks HOA can be developed.

WHEREFORE, Ashley Oaks HOA prays for the following relief:

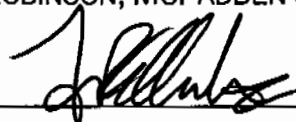
A. That this petition to intervene out of time be granted by the Commission and that the Ashley Oaks HOA be made a formal party of record to the proceeding.

B. That the Ashley Oaks HOA be allowed to participate fully in this proceeding and to take such positions as it deems advisable.

C. That such other and further relief be granted as is just and proper.

Dated this 18th day of May, 2007.

ROBINSON, McFADDEN & MOORE, P.C.



Frank R. Ellerbe, III
Post Office Box 944
Columbia, SC 29202
Telephone (803) 779-8900
fellerbe@robinsonlaw.com

Counsel for Ashley Oaks Phase I Homeowners
Association

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2007-41-W**

In Re:

Application of Ashley Oaks Water
System, Incorporated for Approval
of a Transfer of Its Water System to
the City of Columbia

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Petition to Intervene Out of Time on behalf of Ashley Oaks Phase I Homeowners Association** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

H. Clayton Walker, Jr., Esquire
Walker & Reibold, LLC
Post Office Box 61140
Columbia, SC 29260

Wendy B. Cartledge, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211

Charles H. Cook, Esquire
Elliott & Elliott
7212 Olive Street
Columbia, SC 29205

Dated at Columbia, South Carolina this 18th day of May, 2007.



Toni C. Hawkins